

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

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SAM HAIRSTON, III,

Petitioner,

-vs-

BENNIE KELLY, Warden,

Respondent.  
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: CASE NO. 1:10 CV 0019

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: ORDER ADOPTING REPORT AND  
: RECOMMENDATION AND  
: DISMISSING THE PETITION WITHOUT  
: FURTHER PROCEEDINGS

UNITED STATES DISTRICT JUDGE LESLEY WELLS

Proceeding pro se, plaintiff Sam Hairston, III, ("Mr. Hairston") brings a habeas corpus petition, pursuant to 28 U.S.C. § 2254, challenging the constitutionality of his conviction on fourteen grounds. (Docket No. 1). This matter was automatically referred to United States Magistrate Judge David S. Perelman for a Report and Recommendation ("R&R") pursuant to Local Civil Rule 72.2(b)(2). (Docket No. 4). In his R&R, Magistrate Judge Perelman finds the pro se petitioner's claims procedurally barred as untimely. (Doc. 10). Accordingly, he recommends this Court dismiss the petition without further proceedings.

No party has objected to the Magistrate Judge's R&R. Therefore, this Court will presume the parties are satisfied with the determination. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources.

Thomas v. Arn, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human

Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir. 1981).

Accordingly, the Magistrate Judge's R&R is adopted. Mr. Hairston's petition will be dismissed without further proceedings.

IT IS SO ORDERED.

/s/Lesley Wells  
UNITED STATES DISTRICT JUDGE

Date: 13 July 2010